

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

16 Jan 2008

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FRANK A. FARRICKER,

Plaintiff,

vs.

PENSON DEVELOPMENT, INC.,

Defendant.
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Index No. 07 CIV 11191 (DAB)

**SECOND STIPULATION REGARDING TIME FOR DEFENDANT
PENSON DEVELOPMENT, INC. TO ANSWER OR OTHERWISE RESPOND**

It is hereby STIPULATED and agreed, by and between the undersigned counsel for Plaintiff Frank A. Farricker ("Farricker") and Defendant Penson Development, Inc. ("Penson"), that:

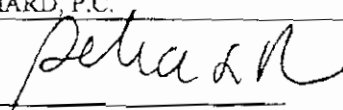
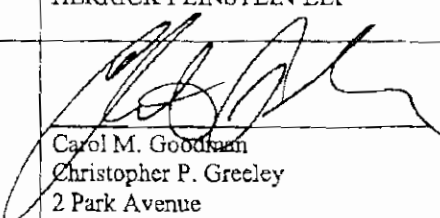
1. Counsel for Farricker and Penson entered into a stipulation dated December 18, 2007, extending Penson's time to answer, move or otherwise respond to the Complaint to January 16, 2008. Such stipulation was so-ordered by the Honorable Deborah A. Batts on December 20, 2007.

2. Counsel has agreed to extend Penson's time to answer, move, or otherwise respond to the Complaint by one week, and that such response shall be filed on or before January 23, 2008.

3. This Stipulation may be executed using facsimile and/or PDF counterpart signatures and such signatures shall have the same force and effect as the original signatures.

HF 3933691v.1 #13364/0001

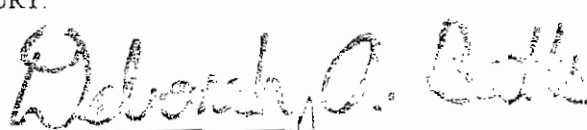
Dated: January 15, 2007

VLADECK, WALDMAN, ELIAS & ENGELHARD, P.C.	HERRICK FEINSTEIN LLP
	
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<i>Attorneys for Plaintiff Frank A. Farricker</i>	<i>Attorneys for Defendant Penson Development, Inc.</i>

BY THE COURT:

APPROVED:

BATTS, J.


16 Jan 2008